REMARKS

I. INTRODUCTION

Claims 1, 9 and 55 have been amended. No new matter has been added. Claims 16-39 have been cancelled. Thus, claims 1-15 and 40-60 remain pending in this application. It is respectfully submitted that based on the following remarks, all of the presently pending claims are in condition for allowance.

II. THE 35 U.S.C. § 102(b) REJECTIONS SHOULD BE WITHDRAWN

Claims 1-15, 40, 41 and 43-60 stand rejected under 35 U.S.C. § 102(b) as being anticipated by "Linkers and Loaders, Chapter 6" by John Levine (hereinafter "Levine"). (See 02/01/08 Office Action, p. 4).

Claims has been amended to recite that "the at least some of the backward references in the reordered software module are stored in a memory to avoid a nonsequential reading of the reordered software module." Support for this amendment is found at least in paragraph [0053] of the specification (reference is to the published version). Applicant respectfully submits that this is not taught by Levine. As stated in Leveine, "Tsort did a topological sort on the output of lorder, producing a sorted list of files so each symbol is defined after all the references to it, allowing a single sequential pass over the files to resolve all undefined references." Tsort resolves "all undefined references," which means that Levine does not account for the situation in which at least some of the backward references remain after the reordering is done on the software module. The present invention addresses such leftover backward references by storing them in a memory; this storage allows the reordered module, even though it includes some remaining backward references, to be used in a nonsequential medium. See paragraph [0053] ("This saving of information avoids the need for nonsequentual reading of software module while the software module is linked."). Thus, in view of this discussion, claim 1 and its dependent claims are patentable over Levine. Claims 9 and 55 have been amended in a similar manner; therefore, they (and their dependent claims) are patentable for the same reasons as claim 1.

III. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN

Claim 42 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Levine in view of U.S Patent No. 6,185,733 to Breslau et al. (hereinafter "Breslau"). (See 02/01/08 Office Action, p. 11).

Applicant submits that Breslau does not cure the above-describe deficiency of Levine with respect to claim 1. Therefore, Applicant submits that claim 1 is patentable over Breslau. Because claim 42 depends from, and therefore includes all the limitations of claim 1, it is respectfully submitted that this claim is also allowable for at least the same reasons given above with respect to claim 1.

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CONCLUSION

In view of the above remarks, it is respectfully submitted that all the presently pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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